

**UNITED STATES DISTRICT COURT  
IN THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**MICHAEL SCOTT,  
Plaintiff**

**v.**

**WARDEN WILLIAM STEPHENS,  
ET AL.,  
Defendants**

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**C.A. No. C-06-108**

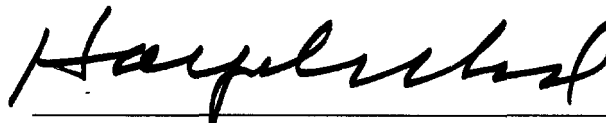
**ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

On August 1, 2007, the United States Magistrate Judge filed a Memorandum and Recommendation in this case (D.E. 79). Plaintiff did not file objections. The Court regards such omission as Plaintiff's agreement with and acceptance of the Magistrate Judge's findings.

Having reviewed the pleadings on file, the Court finds no clear error in the Magistrate Judge's memorandum. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Automobile Association*, 79 F.3d 1415, 1420 (5th Cir. 1996)). The Court hereby adopts the findings and conclusions of the Magistrate Judge.

Defendants' amended motion for summary judgment (D.E. 67) is GRANTED. Plaintiff's claims against Defendants in their individual and official capacities are DISMISSED with prejudice.

ORDERED this 13 day of Sept, 2007.

A handwritten signature in black ink, appearing to read "Hayden Head", written over a horizontal line.

HAYDEN HEAD  
CHIEF JUDGE